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LETTER DATED 5 MAY 1998 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

As representative of the State which presides over the statutory bodies of the Commonwealth of Independent States (CIS), I have the honour to transmit herewith the text of a decision of 28 April 1998 of the CIS Council of Heads of State on additional measures for the settlement of the conflict in Abkhazia, Georgia.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Sergei LAVROV

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Annex

Decision of 28 April 1998 on additional measures for the settlement of the conflict in Abkhazia, Georgia

The Council of Heads of State of the Commonwealth of Independent States,

Stressing its unwavering commitment to the sovereignty and territorial integrity of Georgia,

Welcoming the resumption of direct bilateral negotiations between the Georgian and Abkhaz parties and the active assistance of the Russian Federation in this process, and the initiative announced by Ukraine at the fifty-second session of the United Nations General Assembly to intensify its participation in the settlement of the conflict in Abkhazia, Georgia,

Noting the significance of the Geneva meetings of the Georgian and Abkhaz parties in the presence of representatives of the Russian Federation in its capacity as facilitator, the Organization for Security and Cooperation in Europe (OSCE) and the States which are members of the Group of Friends of the Secretary-General of the United Nations, and the entry into operation of the Coordinating Council and its working groups,

Guided by the provisions of the memorandum on the maintenance of peace and stability in the Commonwealth of Independent States (Almaty, 10 February 1995) and the statement by the Council of Heads of State of the Commonwealth (Minsk, 26 May 1995) on overcoming the threat of separatism as the most important condition for ensuring stability in the Caucasus and settling conflicts in that region, confirming its previous decisions of 19 January 1996 and 28 March 1997 aimed at achieving a comprehensive political settlement in Abkhazia, Georgia, and stressing the need for their implementation,

Once again expressing serious concern that, because of the non-implementation of a number of decisions adopted earlier within the framework of the Commonwealth, the process of the organized return of refugees has not yet begun,

Noting with concern that, because of the obstructive position of the Abkhaz party to the conflict, the negotiations on defining the political status of Abkhazia, Georgia, have come to a standstill,

Expressing serious concern about the holding of elections to so-called organs of local self-government in Abkhazia, Georgia, that cannot be recognized as legitimate at a time when the political status of Abkhazia has not been defined and the problem of the return of refugees and displaced persons has not been resolved, which has effectively led to an exacerbation of the situation in the conflict zone and impeded progress towards a comprehensive settlement,

Noting with concern the escalation of acts of sabotage and terrorism, the kidnapping of personnel of the Collective Peacekeeping Forces (CPF) and of the United Nations Observer Mission in Georgia, and other acts of violence in the conflict zone, the victims of which are the civilian population, refugees and displaced persons,

Stressing the need for the immediate implementation of the measures envisaged in the decision of the Council of Heads of State of the Commonwealth of 28 March 1997, which would guarantee the beginning of the process of the organized return of refugees and displaced persons,

Has decided:

1. To extend, with the consent of the parties, the stay of the Collective Peacekeeping Forces in the conflict zone in Abkhazia, Georgia, to 31 July 1998 or until such time as one of the parties to the conflict, believing that the provisions of this decision have not been fulfilled, expresses its wish to terminate the operation;

2. To regard as inadmissible any further delay in the process of the organized return of refugees and displaced persons throughout the territory of Abkhazia and to demand urgently that the organized return of refugees and displaced persons should begin and that their return to the Gali district (within the old borders) should be completed by the end of 1998 on the basis of the mechanisms worked out by representatives of the parties, the Russian Federation and the Office of the United Nations High Commissioner for Refugees,

Only in immediate, direct coordination with the process of the steady, organized return of refugees and displaced persons, above all to the Gali district (within the old borders), should action be taken for the economic recovery of the region and the normalization of the border and customs regimes,

To recommend urgently that the parties to the conflict should consider and resolve the question of the establishment, at the stage of the return of refugees and the full normalization of life in the Gali district (within the old borders), of a temporary transitional administration, which would work with the direct participation of the intermediaries, the United Nations and OSCE;

3. That the CPF command, in coordination with the parties, should ensure the implementation of the measures envisaged in the decision of the Council of Heads of State of the Commonwealth of 28 March 1997.

Within one month, on the basis of a mechanism worked out by the parties to the conflict, a plan should be drawn up to redeploy CPF, including a plan to bring the Unified Headquarters of CPF closer to areas in which CPF units are deployed, and other measures associated with the organized return of refugees and displaced persons, especially to the Gali district (within the old borders).

The CPF command should devote increased attention to ensuring, in accordance with the CPF mandate, the safe operation of vitally important structures in the security zone, in particular, the Inguri hydroelectric power station, bridges, the water supply system, and so on;

4. To express grave concern that the provisions of the decision of the Council of Heads of State of the Commonwealth of 28 March 1997 concerning the expansion of the security zone have remained unimplemented.

To call on the Abkhaz party to revert to this question, to consider it and to resolve it favourably.

In the event of opposition to the return of refugees and the emergence of a threat to peace and security in the region, to consider the question of introducing appropriate changes in the nature and content of the peacekeeping operation on the basis of the appropriate provisions of the Charter of the United Nations applicable in such cases;

5. The Council of Heads of State of the Commonwealth calls upon the States members of the Commonwealth of Independent States which signed the decisions on the deployment of CPF in the Georgian-Abkhaz conflict zone and on confirming the mandate for the conduct of peacekeeping operation in the Georgian-Abkhaz conflict zone to take a more active part in the peacekeeping operation together with the Russian Federation, which is at present bearing the whole burden of this operation;

6. To seek the cooperation of the international community and international organizations in resolving the socio-economic and humanitarian problems of the population caused by the conflict;

7. To consider it essential to approach the United Nations with regard to the inclusion in the United Nations Observer Mission in Georgia of a group of observers from the States members of the Commonwealth of Independent States;

8. To instruct the Executive Secretariat of the Commonwealth of Independent States, with the participation of the headquarters for the coordination of military cooperation by the States members of the Commonwealth, to report on a systematic basis to the Heads of State of the Commonwealth of Independent States on the implementation of the decisions of the Council of Heads of State of the Commonwealth relating to the settlement of the conflict in Abkhazia, Georgia;

9. To inform the United Nations Security Council of this decision of the Council of Heads of State of the Commonwealth.

This decision shall enter into force on the date of its signature.

Done in the Russian language, in accordance with the procedure established in rule 20, paragraph 6, of the rules of procedure of the Council of Heads of State and the Council of Heads of Government of the Commonwealth of Independent States. The original copy shall be deposited with the Executive Secretariat of

the Commonwealth of Independent States, which shall transmit a certified copy to each State which has signed this decision.

For the Republic of Armenia

R. KOCHARYAN

For the Republic of Moldova

For the Azerbaijani Republic

G. ALIYEV

For the Russian Federation

B. YELTSIN

For the Republic of Belarus

For the Republic of Tajikistan

For Georgia

E. SHEVARDNADZE

For Turkmenistan

For the Republic of Kazakhstan

N. NAZARBAEV

For Ukraine

For the Kyrgyz Republic

A. AKAEV

For the Republic of Uzbekistan

I. KARIMOV